

MINUTES
HAMILTON COUNTY BOARD OF COMMISSIONERS
Commissioners Courtroom
Hamilton County Government and Judicial Center
One Hamilton County Square, Noblesville, Indiana
DECEMBER 8, 2008

Quorum Present: Present Altman called the meeting to order and declared a quorum present of Commissioner Christine Altman and Commissioner Steven A. Holt. Commissioner Steven C. Dillinger was absent. Commissioner Holt led the Pledge of Allegiance.

Approval of Executive Session Memorandum

Holt moved to approve the Executive Session Memorandum of December 8, 2008. Altman seconded. Motion carried unanimously.

Ordinance 12-08-08-A, East 211th Street Vacation of Right of Way

Mr. Bruce Bitner, Church, Church, Hittle, and Antrim stated he is representing Diane Evans and Joe Adams. Bitner stated in 1972 the Hamilton County Board of Commissioners vacated a section of 211th Street from the gate of this property to the east. Due to an omission there was a remnant of right of way left in the middle of his client's property. Bitner requested the vacation of this right of way, it is internal to the property and does not abut any land that is currently owned by the property owners. Mr. Jim Neal stated this portion of right of way is an isolated segment and no longer on the Thoroughfare Plan and he has no objection to the Vacation. [4:00:10] Altman opened the Public Hearing. No public comments. Altman closed the Public Hearing. Holt moved to suspend the rules. Altman seconded. Motion carried unanimously. Holt moved to approve Ordinance 12-08-08-A, For the Vacation of County Road Right-of-Way for East 211th Street in Noblesville Township. Altman seconded. Motion carried unanimously.

[4:01:17]

Highway Business

Acceptance of Bonds/Letters of Credit – Highway Department

Neal requested the acceptance of Bonds and Letters of Credit for the highway department. Holt so moved. Altman seconded. Motion carried unanimously.

- HCHD #B-08-0046 – Federated Rural Electric Insurance Exchange Surety Bond #13 BD 093-08-004 issued on behalf of Indiana Fiber Network, LLC – IFN. in the sum of \$5,000 for work within the right of way. Bond to expire November 26, 2009.

Agreements/Supplements

- Bridge #68, Construction Engineering Agreement
Neal requested approval of the Construction Engineering Agreement with DLZ for Bridge #68, 281st Street over Duck Creek, Des. No. 0500084. Holt so moved. Altman seconded. Motion carried unanimously.
- Bridge #68, LPA Agreement
Neal requested approval of Bridge #68 LPA (Local Project Agency) Agreement, HCHD #08-0060 with INDOT (Indiana Department of Transportation). Holt so moved. Altman seconded. Motion carried unanimously.
- Bridge #133 Construction Engineering Agreement
Neal requested approval of Bridge #133, 186th Street over Stony Creek, Construction Engineering Agreement, HCHD #E08-0011, with Beam, Longest and Neff, LLC. Holt so moved. Altman seconded. Motion carried unanimously.
- Bridge #133 LPA Agreement
Neal requested approval of Bridge #133 LPA Agreement with INDOT. Holt so moved. Altman seconded. Motion carried unanimously.
- 236th Street Supplemental Agreement #2
Neal requested approval of Supplemental Agreement #2, E-01-0022 with R. W. Armstrong for design of 236th Street from US 31 to the West Limits of the Town of Cicero. Holt so moved. Altman seconded. Motion carried unanimously. Altman asked if we will have right of way plans, descriptions and proceed to land acquisition at the end of this agreement? Neal stated yes.
- Olio Road Corridor Study Agreement
Neal requested approval of Engineering Agreement, HCHD #E-08-0012, with Beam, Longest and Neff, LLC for the Olio Road Corridor Study from SR 38 to SR 37. Holt so moved. Altman seconded. Motion carried unanimously.
- 96th Street & Mollenkopf Supplemental Agreement No. 4
Neal requested approval of Supplemental Agreement No. 4, HCHD #E-98-0015, with United Consulting for 96th Street from Mollenkopf Road to Fall Creek Road. Holt so moved. Altman seconded. Motion carried unanimously.
- 146th Street Corridor Study Engineering Agreement
Neal requested approval of Engineering Agreement with First Group Engineering for 146th Street Corridor Study from Allisonville Road to Cumberland Road. Holt so moved. Altman seconded. Motion carried unanimously. Altman asked if this will be sufficient data to determine the over/under around SR 37 or will additional work need to be done? Neal stated this should give enough data to be able to give the County a preferred alternative.
- West 146th Street Expansion Engineering Agreement
Neal requested approval of Engineering Agreement with American Structurepoint, E-07-0006, for the West 146th Street Expansion. Holt so moved. Altman seconded. Motion carried unanimously.

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Traffic Study Correspondence

Neal requested approval of the List of Correspondence Concerning Investigations on Hamilton County Roads dated December 8, 2008. Holt so moved. Altman seconded. Motion carried unanimously.

- David Crittenden concerning hidden drive and reduced speed limit on 96th Street between Fall Creek Road and Olio Road in Fall Creek Township. Highway Department recommends installation of a “Hidden Driveway” warning sign on 96th Street west of 6162 1000 North and to make no changes to the speed limit.

Riverwalk Project

Neal reported the Riverwalk contractor has demobilized until Spring 2009.

Safety-Lu Bill Update

Mr. Brad Davis reported they have found the problem with the release of funding from the Safety-Lu Bill, it was within the Federal Highway Office in Washington D.C. and INDOT is working with them to get it corrected. The President did sign the Bill but it was not communicated back to the Federal Highway Administration.

2009 Commissioner Highway Meetings

Davis requested approval of the meeting dates for the 2009 Commissioner Highway Meetings. Holt so moved. Altman seconded. Motion carried unanimously. Altman asked Davis to circulate the list of meeting dates by E-mail.

2009 Annual Highway Bids

Davis requested permission to advertise for the 2009 Highway Department Bids. Davis is withholding three (3) categories (Bituminous Mixes, Liquid Asphalt, and Treated Salt) for approximately one month. In conversations with industry representatives they have indicated we might be better to wait due to the economy. Holt so moved. Altman seconded. Motion carried unanimously.

Buildings and Grounds Contract Renewals

Holt moved to approve the Buildings and Grounds Contract Renewals. Altman moved to table. Holt seconded. Motion to table approved unanimously.

CDBG Subrecipient Contract

Mr. Mark McConaghy reported the Community Caring Foundation has requested the contracts they have with Hamilton County for the CDBG (Community Development Block Grant) be transferred to The Shepherd’s Center of Hamilton County, Inc. Altman asked if there will be a formal termination of the agreements? Holt moved to terminate the agreements with the Community Caring Foundation and approve the recommendation to transfer it to The Shepherd’s Center of Hamilton County, Inc. Altman seconded. Motion carried unanimously.

[4:16:20]

Tax System Contract with Computronix

Ms. BJ Casali stated she has worked with Mr. Howard and Mr. Murphy on the agreement with Computronix for a Tax Administration Software System. Casali stated upon the completion of the original contract another Performance Bond will be required in the amount of \$400,000 to allow for the concerns regarding the performance of the system for two (2) tax billing cycles. Paragraphs B and E explain the Certification definitions. Altman asked if there is specific reference to the drainage billing? Casali stated the contract refers back to the RFP (Request for Proposal) which makes that a requirement. Howard stated the contract documents are incorporated by reference. Howard stated we added a Major Uncured Defect as a term that can trigger the Performance Bond. Holt asked what is Casali’s understanding of an example of the clause stating “that clause is void if the county’s infrastructure is what causes the lack of certification? Casali stated in the State standards there are certain requirements that are still to be worked out. One of the requirements states that we have to be using the most current version of the operating system or one that is currently being supported. The IT Directors have met with the State Board of Accounts to address these issues and they indicated it was the operating system of the Server, not the desktop platform. The concern was that they are requiring us to move to VISTA. As long as our operating system, cabling, fiber, PC Standards, PC Operating System is current according to the Vendor then we will be fine. They don’t want a county operating on Windows 98, which is no longer supported. Holt asked if that definition of infrastructure is in the contract? Casali stated no, this is the State’s contract with more stringent requirements. Howard asked if Casali is comfortable that our infrastructure, if not a defined term in the agreement is defined in the contract documents or is an accepted term in your business? Casali stated infrastructure is defined in IAC 23. Holt moved to approve. Altman seconded. Motion carried unanimously.

[4:21:45]

Voting Places for Special Election – January 9, 2009

Ms. Kathy Richardson requested approval of the list of voting places for the Special Election to be held in Hamilton County on Friday, January 9, 2009. Richardson stated she has combined a couple of polling places due to losing the polling site. One inspector will be used anywhere there is double inspectors and we are trying to combine our poll workers. It is more expensive to send notices to every taxpayer rather than manning the polling sites. Holt asked if the County paying for the election or the entity requiring the Election? Richardson stated Hamilton County pays. Holt asked if there will be an amendment to the legislation? Richardson stated yes, legislation will be introduced to answer the many questions that have arisen from this Election. Holt so moved. Altman seconded. Motion carried unanimously.

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[4:25:10]

Prescription Drug Coverage Amendment

Ms. Chris Bookington, One Source Insurance Agency, requested approval of the Fourth Amendment to the October 2006 Restatement of the Hamilton County Employee Benefit Plan regarding Section 2.03 Prescription Drug Benefits. Effective January 1, 2009:

- Generic Drug will change from \$5.00 co-pay to \$10.00 co-pay.
- Brand Drugs will change from \$20.00 co-pay to \$30.00 co-pay.
- Add Over The Counter (OTC) Prescription Plan.

Altman moved to approve the Fourth Amendment to the Restatement of the Hamilton County Employee Benefit Plan. Holt seconded. Altman stated she has had terrible luck with the mail order prescription provider and with the co-pays increasing either we get a new provider or these people do what they are supposed to do. It is totally unacceptable that we do not have a consistent manner of receiving prescription drugs. Motion carried unanimously.

Commissioner Committee Reports

UASI Contract

Altman requested ratification on a UASI (Urban Area Security Initiative) Contract for mass notification. Holt so moved. Altman seconded. Motion carried unanimously.

Sheriff

UASI Coordinator Contract

Sheriff Carter presented a contract for reimbursement of the former UASI Coordinator's salary to be completed by January 2009. Altman stated we have been working with Marion County trying to receive the salary reimbursement. Altman requested approval of her signature upon her review of the contract. Holt so moved. Altman seconded. Motion carried unanimously.

[4:30:02]

Attorney

Release, Settlement and Indemnity Agreement – United Consulting Engineers and Architects

Howard requested approval of a Release, Settlement and Indemnity Agreement with United Consulting Engineers in the amount of \$26,892.54. This is the amount of attorney's fees the county expended on the case regarding the 191st Street Bridge. United Engineering has resolved all issues with the Plaintiff. Holt so moved. Altman seconded. Motion carried unanimously.

Ordinance 11-24-09-B, Employee Wellness Event Fund

Howard presented the second reading of Ordinance 11-24-09-B, An Ordinance Establishing a Special Non-Reverting Operating Fund for the Hamilton County Employee Wellness Event. Holt moved to approve. Altman seconded. Motion carried unanimously.

Ordinance 11-24-09-A, Hamilton County Sheriff's Department Special Task Team Fund

Howard presented for second reading Ordinance 11-24-09-A, An ordinance Creating Two Non-Reverting Funds for the Hamilton County Sheriff's Department Special Task Team. Holt moved to approve. Altman seconded. Motion carried unanimously.

Liability Trust Claim

Howard requested approval of a Liability Trust Claim for legal services, payable to Michael Howard in the amount of \$5,142.00. Holt so moved. Altman seconded. Motion carried unanimously.

[4:33:50]

Administrative Assistant

Weights and Measures Claim

Holt moved to approve the Vendor Claim for Weights and Measures for the purchase of clothing. Altman seconded. Motion carried unanimously.

Hamilton Heights Schools Wage Determination Committee Appointment

Holt moved to approve the appointment of Jane Hunter to the Hamilton Heights Schools Wage Determination Committee. Altman seconded. Motion carried unanimously.

Janus Bus Vehicle Lease

Holt moved to approve a Vehicle Lease for the Janus Transportation Buses in the amount of \$10.00 per year to be paid at the beginning of each year. Altman seconded. Motion carried unanimously.

Envoy's Master Contract Change Orders

Mr. Fred Swift requested approval of Change Orders to Envoy's Master Contract:

- Add (1) One new radio tower
- Health Department Relocation

Holt moved to approve. Altman seconded. Motion carried unanimously.

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Structurepoint Agreement

Holt moved to table the Structurepoint Agreement regarding the Assessor. Altman seconded. Motion carried unanimously.

Adams Township Trustee Computers

Swift stated Linda Williams, Adams Township Trustee, has requested the five (5) computers the county purchased while she was the Assessor/Trustee be given to the Township. There will be similar circumstances for Wayne and White River Townships for a total of seven (7) computers. Altman stated she has a conflict and will not be able to vote. Altman stated the question is if we want to give them the computers or does the county want to retain title and the potential obligation to service them. Holt moved to table.

[4:39:19]

ICM Contract

Ms. Sheena Randall ICM (Individualized Care Management) will not let the County out of the contract so we will not be moving to Meritain until April 1, 2009.

Buildings and Grounds Interim Director

Holt moved to appoint Steve Wood as Interim Buildings and Grounds Director. Altman seconded. Motion carried unanimously. Howard asked that the record reflect he called Mike Kendall and as of 4:45 p.m. he has not received a return phone call from him.

Auditor

Release of Bonds/Letters of Credit – Drainage Board

Ms. Robin Mills requested the Release of Bonds and Letters of Credit for the drainage board. Holt moved to approve. Altman seconded. Motion carried unanimously.

- HCDB-20060-00042 – Safeco Insurance Company Performance Bond No. 6425011 for Bridgewater Marketplace reconstruction of the Mitchner Drain in the amount of \$110,640.00.
- HCDB-2007-00058 – Fidelity and Deposit Company of Maryland Performance Bond No 8874049 for reconstruction of the Cool Creek Drain in the amount of \$431,594.40.

Payroll Claims

Holt moved to approve the Payroll Claims for the period of November 17-30, 2008 paid December 12, 2008. Altman seconded. Motion carried unanimously.

Vendor Claims

Holt moved to approve the Vendor Claims to be paid December 9, 2008. Altman seconded. Motion carried unanimously.

Public Official Bonds

Holt moved to ask Mr. Swift to send a letter to Charles Howard Insurance Company, signed by the President of the Board of Commissioners advising them not to send the individual bonds because we are covered by a Blanket Bond and if anyone inadvertently signs it and sends it back it will not be honored for payment. Altman seconded. Motion carried unanimously.

Holt moved to adjourn. Altman seconded. Motion carried unanimously.

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Commissioners Correspondence

Riverwalk Project Status Field Report
Notice of Public Meetings
 Communications Tower for Hamilton County Government – City of Noblesville
 Maple Avenue Storm Sewer Improvements – City of Noblesville
Certificates of Insurance
 Comcast of Illinois/Indiana/Ohio, LLC
 Pedcor Residential, LLC dba Old Town Shops II
 The Snider Group, Inc.

Present

Christine Altman, Commissioner
Steven A. Holt, Commissioner
Robin M. Mills, Auditor
Fred Swift, Administrative Assistant to Commissioners
Kim Rauch, Administrative Assistant to Auditor
Michael Howard, Attorney
Darren Murphy, Attorney
Doug Carter, Sheriff
Brad Davis, Highway Director
Jim Neal, County Highway Engineer
Joel Thurman, Highway Project Engineer
Brandy Wariner, Highway Public Service Representative
Dave Lucas, Highway Staff Engineer
Christopher Burt, Highway Engineering Technician
Tim Knapp, Highway Right-of-Way Manager
Matt Knight, Highway Bridge Program Engineer
Faraz Khan, Highway Staff Engineer
Bob Davis, Highway Superintendent
Patti Smith, BLN
Mike Keewen, DLZ
BJ Casali, ISSD
Sheena Randall, Human Resources Director
Chris Bookington, One Source Insurance
Bruce Bitner, Church, Church, Hittle and Antrim
Diane Evans, 211th Street Vacation of Right of Way
Joe Adams, 211th Street Vacation of Right of Way
Mark McConaghy, Noblesville Housing Authority

APPROVED
HAMILTON COUNTY BOARD OF COMMISSIONERS

ATTEST

Dawn Coverdale, Auditor

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INDEX

<i>I</i>		<i>M</i>	
146 th Street Corridor Study	207, 255-261	Maple Avenue Storm Sewer Improvements – City of Noblesville	211
<i>2</i>		<i>N</i>	
236 th Reconstruction	207, 246-249	Notice of Public Meetings.....	211, 282
2009 Annual Highway Bids	208, 263	<i>O</i>	
2009 Commissioner Highway Meetings	208, 262	Olivo Road Corridor Study	207, 249253
<i>9</i>		Ordinance 11-24-09-A, Hamilton County Sheriff’s Department Special Task Team Fund	209, 277
96 th Street from Mollenkopf Road to Fall Creek Road	207, 253-254	Ordinance 11-24-09-B, Employee Wellness Event Fund..	209, 276-277
<i>A</i>		Ordinance 12-08-08-A, East 211 th Street Vacation of Right of Way	207, 213-217
Acceptance of Bonds/Letters of Credit – Highway Department.....	207, 217-218	<i>P</i>	
Adams Township Trustee Computers	210	Payroll Claims.....	210
Administrative Assistant	209	Pedcor Residential, LLC dba Old Town Shops II.....	211
Agreements/Supplements.....	207	Prescription Drug Coverage Amendment.....	209, 275-276
Approval of Executive Session Memorandum	207, 213	Public Official Bonds.....	210, 282
Attorney	209	<i>Q</i>	
Auditor.....	210	Quorum Present.....	207
<i>B</i>		<i>R</i>	
Bridge #68, 281 st Street over Duck Creek.....	207, 219-232	Release of Bonds/Letters of Credit – Drainage Board	210, 280-282
Bridge #133 Replacement	207, 233-246	Release, Settlement and Indemnity Agreement – United Consulting Engineers and Architects	209
Buildings and Grounds Contract Renewals.....	208	Riverwalk Project	208
Buildings and Grounds Interim Director	210	Riverwalk Project Status Field Report	211, 262
<i>C</i>		<i>S</i>	
CDBG Subrecipient Contract	208, 263-271	Safety-Lu Bill Update	208
Certificates of Insurance	211, 282-284	Sheriff	209
Comcast of Illinois/Indiana/Ohio, LLC.....	211	Structurepoint Agreement	210
Computronix	208, 271-274	<i>T</i>	
Commissioner Committee Reports	209	Tax System Contract with Computronix.....	208, 271-274
Commissioners Correspondence.....	211	The Snider Group, Inc.....	211
Communications Tower for Hamilton County Government – City of Noblesville.....	211	Traffic Study Correspondence.....	208, 261-262
<i>E</i>		<i>U</i>	
Envoy’s Master Contract Change Orders.....	209	UASI Coordinator Contract.....	209
<i>H</i>		<i>V</i>	
Hamilton Heights Schools Wage Determination Committee Appointment.....	209	Vendor Claims.....	210
Highway Business	207	Voting Places for Special Election – January 9, 2009.....	208, 274-275
<i>I</i>		<i>W</i>	
ICM Contract	210	Weights and Measures Claim	209
<i>J</i>			
Janus Bus Vehicle Lease.....	209, 279		
<i>L</i>			
Liability Trust Claim	209, 278		